

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
EVERGREEN EAST COOPERATIVE,

Plaintiff,

-against-

BOTTOMLEY EVERGREENS & FARMS,  
INC.,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/19/2020

19 Civ. 5360 (AT)

**ORDER**

The Court having been advised that the parties have reached a settlement in principle, ECF No. 64, it is ORDERED that the above-entitled action be and is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within thirty days of the date of this Order if the settlement is not consummated.

Any application to reopen must be filed within thirty days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same thirty-day period to be so-ordered by the Court. Per Rule IV(C) of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: February 19, 2020  
New York, New York



ANALISA TORRES  
United States District Judge